IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Bail Appl..No. 7096 of 2006()

AGAINST THE ORDER DATED 18/10/2006 IN CRMP. 8817 /2006 & CRMP.8818/2006 of J.M.F.C.-III, PUNALUR
CRIME NO.91/06 OF PATHANAPURAM EXCISE RANGE.

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PETITIONER/ACCUSED NO.2

UNNIKRISHNA PILLAI,
S/O.RAMAKRISHNA PILLAI, LEELA BHAVANAM,
DHARMAPURI WARD, VILAKUDI VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7096 OF 2006

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DATED THIS THE 1ST DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.91/06 Pathanapuram Excise Range for offences punishable under Sections 8(1), 8(2) and 55(i) of the Abkari Act for having been found in possession of 5 litres of arrack and 12 litres of spirit on 8.10.2006, seeks his enlargement on bail. Petitioner surrendered on 18.10.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.,-III, Punalur and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn